



CITY COUNCIL REGULAR MEETING

Tuesday, January 18, 2022 at 5:00 PM

94 N. Washington Street, Sonora, CA 95370

(209) 532-4541

AGENDA

NOTICE IS HEREBY GIVEN that the Sonora City Council will have their regular meeting on Monday, January 18, 2022 at 5:00 pm in the City of Sonora Council Chambers located at 94 N. Washington Street Sonora, CA 95370.

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH AB 361.

THIS MEETING IS PHYSICALLY OPEN TO THE PUBLIC AND MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCING AT:

Zoom Meeting Link:

<https://us06web.zoom.us/j/87460555933?pwd=UFBFZ0EyR3pjXNXZWtXVIZLQTJoQT09>

Dial: (253)215-8782

Meeting ID: 874 6055 5933

Passcode: 7dY809

AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

THIS MEETING WILL BE OPEN TO THE PUBLIC AND WILL BE AVAILABLE VIA ZOOM. IT WILL ALSO BE LIVE STREAMED ON THE CITY'S WEBSITE AT www.sonoraca.com.

Written comments can be submitted to be included as part of the administrative record, they will not be read during the meeting. All comments must be received by 3:00 pm on the day of the noticed meeting and can be submitted to the City Clerk at 94 N. Washington Street Sonora, CA 95370 or via email to administration@sonoraca.org.

OPEN SESSION - 5:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

CITY CLERK'S REPORT ON AGENDA POSTING

APPROVAL OF THE AGENDA

PUBLIC COMMENT (NON-AGENDA ITEMS)

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*If participating via Zoom, please raise your hand using the Raise Your Hand feature or dial *9.*

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and will be voted on in one motion unless a Council member or member of the public has a question or wishes to discuss an item. In that case, the item will be removed from the Consent Calendar and considered separately.

1. Approve City Council Minutes for May 17, 2021; May 19, 2021; and July 19, 2021.
2. Approval of disbursements in the amount of \$177,203.01 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, miscellaneous voluntary employee deductions, holiday pay and other adjustments, including retro-pay.

NEW BUSINESS

3. Consideration to adopt Resolution 01-18-2022-A proclaiming and authorizing remote teleconferencing meetings of the City Council and its committees and commissions for 30 days pursuant to AB 361 Brown Act provisions.
4. Consideration to approve a Letter of Support for the Sunshine Hill – Jamestown Road Shaded Fuel Break Project and authorize the Mayor to sign the letter.
5. Consideration to approve an Employment Agreement between the City of Sonora and Melissa Eads for the position of Interim City Administrator with a base salary amount of one hundred and forty thousand dollars (\$140,000) annually and for a term of six (6) months.

MONTHLY REPORTS

6. Receive the Community Development Department Report for December 2021
7. Receive Fire Department Monthly Report – December 2021
8. Receive the Sonora Police Department monthly report for December 2021.
9. Receive the Public Works Department Report for December 2021

COUNCIL MEMBER/DEPARTMENT HEAD REPORTS

ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator at City Hall (209) 532-4541, mrutikanga@sonoraca.com. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Administrator's Office at 94 N. Washington Street, Sonora, CA 95370 during normal business hours (8:00 am - 4:00 pm, Monday through Friday, excluding holidays). The agenda and supporting public documents are also available on our City website www.sonoraca.com listed under the agenda/minutes link on the Government page.



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 18, 2022

TO: City Council Members

FROM: Jackie Smith, Deputy City Clerk

SUBJECT: Meeting Minutes for May 17, 2021; May 19, 2021; and July 19, 2021.

RECOMMENDATION

Approve City Council Minutes for May 17, 2021; May 19, 2021; and July 19, 2021.

DISCUSSION

Staff recommends that the City Council approve meeting minutes for May 17, 2021; May 19, 2021; and July 19, 2021.

FISCAL IMPACT

None



CITY COUNCIL REGULAR MEETING

Monday, May 17, 2021 at 4:00 PM

94 N. Washington Street, Sonora, CA 95370

(209) 532-4541

MINUTES

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-25-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 12, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT.

THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCING AT:

Zoom Meeting Link: <https://zoom.us/j/97038562835?pwd=VzdNaStHSmVBSEINYUdvTGt6NU5QQT09>

Dial: (669) 900-9128

Meeting ID: 970 3856 2835

Passcode: 901969

AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

CLOSED SESSION - 4:00 PM

CALL TO ORDER

Called to order at 4:00 pm.

ROLL CALL

PRESENT

Mayor Matt Hawkins

Mayor Pro-Tem Mark Plummer

Council member Ann Segerstrom

Council Member Jim Garaventa

Council Member Colette Such

PUBLIC COMMENTS

No public comments.

ADJOURN INTO CLOSED SESSION

1. Public Employee Performance Evaluation (Government Code Section 54957 (b)(1)) - City Administrator

RECONVENE INTO OPEN SESSION

Direction was given to staff.

OPEN SESSION -

5:00 PM

Called to order at 5:00 pm.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Plummer led the Pledge of Allegiance.

ROLL CALL

PRESENT

Mayor Matt Hawkins

Mayor Pro Tem Mark Plummer

Council member Ann Segerstrom

Council member Colette Such

Council member Jim Garaventa

CITY CLERK'S REPORT ON AGENDA POSTING

The agenda was posted on Thursday, May 13, 2021, at 2:50 pm.

APPROVAL OF THE AGENDA

The agenda was approved without change.

PRESENTATIONS

2. Introduction of Sonora City Fire Department Firefighter Volunteer Josilyn Layton and Firefighter Intern Brayden Gordon.

Fire Chief Aimee New introduced the new firefighter volunteer Josilyn Layton and Intern Brayden Gordon.

PUBLIC COMMENT (NON-AGENDA ITEMS)

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A member of the public made a comment about the activities of Tuolumne County Arts.

A member of the public representing the Sonora Chamber of Commerce discussed a mixer they are hosting along with the Christmas Town Sonora.

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and will be voted on in one motion unless a Council member or member of the public has a question or wishes to discuss an item. In that case, the item will be removed from the Consent Calendar and considered separately.

No public comments.

**Motion made by Council member Garaventa, Seconded by Mayor Pro Tem Plummer.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.**

3. Approval of disbursements in the amount of \$148,604.70 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, miscellaneous voluntary employee deductions, holiday pay and other adjustments.
4. Approve City Council Minutes for March 15, 2021

UNFINISHED BUSINESS

5. Consideration to waive second reading and adopt Ordinance No. 878, an ordinance of the City Council of the City of Sonora approving the Development Agreement By and Between the City of Sonora and Hazy Bulldog Farms, LLC.

City Administrator Mary Rose Rutikanga introduced the Ordinance and made note of any changes from the prior Development Agreement.

Councilmembers discussed.

City Attorney Douglas White gave legal input on Councilmember questions.

A member of the public commented on the length of the contract.

Multiple members of the public commented in opposition to recreational cannabis

Multiple members commented in favor of recreational cannabis.

Police Chief Turu VanderWiel elaborated on his communication with the Hazy Bulldog Farms, LLC.

Motion made by Council member Garaventa, Seconded by Mayor Pro Tem Plummer.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Garaventa.

Voting Nay: Council member Such.

6. Consideration to waive second reading and adopt Ordinance No. 879 an ordinance of the City Council of the City of Sonora approving the First Amendment to the Development Agreement By and Between the City of Sonora and Bract House, LLC.

City Administrator Mary Rose Rutikanga presented the Ordinance and discussed requirements in the development agreement.

Community Development Director Rachelle Kellogg discussed the requirements of the building and code compliance including what the developer has accomplished so far.

Councilmembers discussed.

City Attorney Douglas White gave legal input on cannabis laws in California.

Multiple members of the public commented in opposition to recreational cannabis and the location of the dispensary.

Multiple members of the public commented in favor of the dispensary.

Motion made by Council member Garaventa, Seconded by Mayor Pro Tem Plummer.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Garaventa.

Voting Nay: Council member Such.

NEW BUSINESS

7. Adopt Resolution No. 05-17-2021-A approving a list of projects to receive Road Maintenance and Rehabilitation Account Funding for FY21-22.

Financial Director Chris Gorsky presented the Resolution and discussed the Road Maintenance and Rehabilitation Funds and the projects presented for approval.

No public comments.

Motion made by Council member Such, Seconded by Mayor Pro Tem Plummer.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.

8. Authorize the closure of Bradford Street, from Washington to Green Street, and the possession and consumption of beer and wine, from 3:00 p.m. to 9:00 p.m., on June 12, July 10, August 14,

September 11, October 9, November 13, and December 11, 2021 during the Sonora Chamber of Commerce's Second Saturday Art Night.

City Administrator Mary Rose Rutikanga presented this item.

Community Development Director Rachelle Kellogg explained the special event request.

Councilmembers discussed.

A member of the public commented in opposition, citing emergency access to Washington Street and suggested Green Street as an alternative.

A member of the public representing the Sonora Brewing Co. commented about how the closure would be safe and secure.

A member of the public commented in support of the request.

Motion made by Mayor Pro Tem Plummer, Seconded by Council member Such.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such.

Voting Nay: Council member Garaventa.

9. Consideration to provide staff direction to amend Chapters 2.06 "Committee Appointments"; and Chapter 2.32.020 "Planning Commission: Members; Number; Appointment.

City Administrator Mary Rose Rutikanga discussed the amended Chapter of the Municipal Code.

Councilmembers discussed.

Multiple members of the public commented in support of the appointment process of the Planning Commission.

Multiple members of the public commented against the appointment process of the Planning Commission.

Direction was given to staff.

COMMUNICATIONS

10. Consideration to approve a Letter of Support for the Apple Valley – Meadow Brook Shaded Fuel Break Project and authorize the Mayor to sign the letter.

City Administrator Mary Rose Rutikanga presented the Letter to the Council.

Fire Chief Aimee New discussed the benefits of supporting the letter.

Multiple members of the public commented in support of the letter.

**Motion made by Mayor Pro Tem Plummer, Seconded by Council member Such.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.**

MONTHLY REPORTS

11. Receive the Community Development Department Report for April 2021.

Community Development Director Rachell Kellogg discussed the new Planning Commissioners and the training in place.

12. Receive the Fire Department Monthly Report for April 2021.

Nothing to report.

13. Receive the Sonora Police Department monthly report for April 2021.

Police Chief Turu VanderWeil discussed the COVID-19 pandemic and expressed his support for the Special Olympics.

14. Receive the Public Works Department Report for April 2021.

Nothing to report.

COUNCIL MEMBER/DEPARTMENT HEAD REPORTS

City Attorney Douglas White commented on the CDC Guidelines for mask wearing.

City Administrator Mary Rose Rutikanga discussed Measure V and information available of the website and requested those in attendance to vote.

Councilmember Garaventa attended the Solid Waste Committee and the TCTC and Transportation Agency Board Meeting, .

Councilmember Segerstrom attended the virtual PG&E Town Hall meeting, the recent Second Saturday, a meeting with the Police Chief, the Legislative Action Days for Cal Cities, and the Yes Partnership.

Council Member Such attended the virtual PG&E Town Hall meeting, the Social Equity Committee, the non-City Childcare Council, the Legislative Action Days for Cal Cities, and the TCTC meeting.

Mayor Pro-Tem Plummer attended the Legislative Action Days for Cal Cities.

Mayor Hawkins informed those in attendance of a budget update and a potential park project.

ADJOURNMENT

Meeting adjourned at 8:23 pm.

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CITY COUNCIL SPECIAL MEETING

Wednesday, May 19, 2021 at 12:00 PM

94 N. Washington Street, Sonora, CA 95370

(209) 532-4541

MINUTES

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-25-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 12, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT. THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCING AT:

Zoom Meeting Link: <https://zoom.us/j/91924548392?pwd=bnhhWnhkY0J3eVZhT2kwdUpDR1BUZz09>

Dial: (669) 900-9128

Meeting ID: 919 2454 8392

Passcode: 685431

AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

CALL TO ORDER -

12:00 PM

Called to order at 12:00 pm.

ROLL CALL

PRESENT

Mayor Matt Hawkins

Mayor Pro-Tem Mark Plummer

Councilmember Ann Segerstrom

Councilmember Jim Garaventa

ABSENT

Councilmember Collette Such

PUBLIC COMMENT

Councilmember Such arrived late.

No public comments.

ADJOURN INTO CLOSED SESSION

1. Conference with Real Property Negotiations (Government Code Section 54956.8)
Property: 290 S. Stewart Street Sonora, CA 95370
Agency Negotiators: Mary Rose Rutikanga, City Administrator; Rachelle Kellogg, Community Development Director; Chris Gorsky, Administrative Services Director

RECONVENE INTO CLOSED SESSION

Direction was given to staff.

ADJOURNMENT

Meeting adjourned at 2:06 pm.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator at City Hall (209) 532-4541, mrutikanga@sonoraca.com. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

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CITY COUNCIL REGULAR MEETING

Monday, July 19, 2021 at 5:00 PM

94 N. Washington Street, Sonora, CA 95370

(209) 532-4541

MINUTES

NOTICE IS HEREBY GIVEN that the Sonora City Council will have their regular meeting on Monday, July 19th, 2021 at 5:00pm in the City of Sonora Council Chambers located at 94 N. Washington Street Sonora, CA 95370

THIS MEETING WILL BE OPEN TO THE PUBLIC. IT WILL NOT BE AVAILABLE VIA ZOOM, HOWEVER IT WILL BE LIVE STREAMED ON THE CITY'S WEBSITE AT www.sonoraca.com

Written comments can be submitted to be included as part of the administrative record, they will not be read during the meeting. All comments must be received by 4 p.m. on the day of the noticed meeting and can be submitted to the City Clerk at 94 N. Washington Street Sonora, CA 95370 or via email to administration@sonoraca.org

IMPORTANT PUBLIC NOTICE: Under the Governor's Executive Order N-25-20 and Order N-29-20, members of the City Council can participate via teleconference.

OPEN SESSION -

5:00 PM

Called to order at 5:03 pm.

PLEDGE OF ALLEGIANCE

City Administrator Mary Rose Rutikanga led the Pledge of Allegiance.

ROLL CALL

PRESENT

Mayor Matt Hawkins

Mayor Pro Tem Mark Plummer

Council member Ann Segerstrom

Council member Colette Such

Council member Jim Garaventa

CITY CLERK'S REPORT ON AGENDA POSTING

The agenda was posted on Friday, July 16, 2021, at 10:30 am.

APPROVAL OF THE AGENDA

The agenda was approved without change.

PUBLIC COMMENT (NON-AGENDA ITEMS)

The public may address the Council on any item of public interest not otherwise on the agenda that is within the jurisdiction of the City. No action may be taken. Matters to be addressed may be referred to City Staff or placed on a subsequent meeting Agenda. Speakers are limited to a three (3) minute presentation.

No public comments.

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and will be voted on in one motion unless a Council member or member of the public has a question or wishes to discuss an item. In that case, the item will be removed from the Consent Calendar and considered separately.

No public comments.

Motion made by Mayor Pro Tem Plummer, Seconded by Council member Garaventa.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.

1. Approval of disbursements in the amount of \$156,045.05 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, miscellaneous voluntary employee deductions, holiday pay and other adjustments.

UNFINISHED BUSINESS

2. Consideration to approve Resolution 07-19-2021-A to accept two (2) United States Department of Agriculture (USDA) Community Facilities Grant awards to provide two (2) Sonora Police Department patrol vehicles.

Police Chief Turu VanderWiel detailed this item and requested that the Council approve the Resolution.

Councilmembers discussed.

No public comments.

Motion made by Council member Garaventa, Seconded by Mayor Pro Tem Plummer.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.

NEW BUSINESS

3. Consideration to: 1) Approve the Cooperative Agreement with Caltrans for the Stockton-Washington Transit Project and authorize the City Administrator to execute the agreement and all related documents; 2) Approve the Improvement Maintenance Agreement with Caltrans and authorize the City Administrator to execute the agreement and all related documents; and 3) Authorize the City Administrator to enter into a Maintenance Agreement with the Tuolumne County Transit Agency for their transit areas/facilities maintenance responsibilities.

Community Development Director Rachelle Kellogg detailed this item's requests and asked for their approval.

TCTC's Darin Grossi further detailed this item's requests.

Councilmembers discussed.

City Attorney Douglas White gave the Council legal input.

No public comments.

**Motion made by Council member Garaventa, Seconded by Mayor Pro Tem Plummer.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Garaventa.
Voting Nay: Council member Segerstrom, Council member Such.**

MONTHLY REPORTS

4. Receive the Community Development Department Report for June 2021

Community Development Director Rachelle Kellogg informed those in attendance that Magic of the Night would take place on Friday, August 6, 2021.

5. Receive the Fire Department Monthly Report for June 2021

Nothing to report.

6. Receive the Sonora Police Department monthly report for June 2021.

Police Chief Turu VanderWiel informed those in attendance that on July 28, 2021 at 8:30 am at Revive Coffee there would be the first Coffee with a Cop event.

7. Receive the Public Works Department Report for June 2021

Nothing to report.

COUNCIL MEMBER/DEPARTMENT HEAD REPORTS

Financial Director Chris Gorsky informed the Council that the City had received half of the American Rescue fund and would receive the rest at a later date.

City Administrator Mary Rose Rutikanga informed the public that the County is seeking City Representative applicants for the Airport Land Use Commission and that the City's Community Development Department would be closed to the public from 12:30 pm-1:30 pm and on Fridays at 12:00 pm.

Councilmember Segerstrom thanked the rest of the Council for the ability to teleconference and notified those in attendance that the Energy Action Committee would meet the following Wednesday.

Councilmember Such attended the TCTC meeting the previous Wednesday, the Homeless Advisory Committee on July 15, 2021, and thanked the rest of the Council for the ability to teleconference.

Councilmember Garaventa attended the TCTC meeting the previous Wednesday and the Social Equity Committee the previous Monday.

Mayor Pro Tem Plummer viewed the Social Equity Committee.

ADJOURNMENT

Meeting adjourned at 5:51 pm.

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CITY COUNCIL AGENDA REPORT

MEETING DATE: January 18, 2022

TO: City Council Members

FROM: Chris Gorsky, Administrative Services Director

SUBJECT: Disbursements in the amount of \$177,203.01 for payroll

RECOMMENDATION

Approval of disbursements in the amount of \$177,203.01 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, miscellaneous voluntary employee deductions, holiday pay and other adjustments, including retro-pay.

DISCUSSION

This payroll was the 1st payroll of a month, which was an expected amount.

This payroll is the 15th payroll of 26 for FY21-22, we would have expected to expend 57.69% of the budgeted amount. In total, we have expended 55.84% of the Salaries and Wages for the FY 21/22 budget.

FISCAL IMPACT

Disbursements are part of the approved FY21-22 Budget.



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 18, 2022

TO: City Council Members

FROM: Turu VanderWiel, Interim City Administrator

SUBJECT: AB 361: Modified Brown Act Procedures During a Declared Emergency

RECOMMENDATION

Consideration to adopt Resolution 01-18-2022-A proclaiming and authorizing remote teleconferencing meetings of the City Council and its committees and commissions for 30 days pursuant to AB 361 Brown Act provisions.

DISCUSSION

Since the beginning of the COVID-19 Pandemic, Governor Newsom has issued several Executive Orders that have waived certain Brown Act requirements and allowed remote meetings without compliance with the standard teleconferencing procedures. The Governor's Executive Orders waived requirements during the health emergency through September 30, 2021.

On September 16, 2021, the Governor signed AB 361 which created exceptions to remote meeting requirements found in the Brown Act. The law became effective on October 1, 2021, and allows any legislative body that wishes to meet remotely without complying with the standard teleconference procedures to make findings pursuant to AB 361 every 30 days. The decision to continue in person or make findings to move to remote meetings for City Committee and Commissions must be made by the legislative body, i.e. the City Council.

AB 361 suspends the standard requirements in Government Code Section 54593(b)(3). The modified teleconference requirements include:

- During a declared emergency by the Governor,
- Agendas do not need to be posted at all teleconference locations,
- Agendas do not need to identify each teleconference location,
- Agencies are not required to make each teleconference location accessible to the public,
- There is no requirement that councilmembers participate from within the territorial boundaries of the jurisdiction,
- Each agenda must include notice to the public as to how members may access the meeting and offer public comment,
- The agenda shall identify and include an opportunity for all persons to attend via a call-in or internet-based service option,

- Members of the public are allowed to access the meeting remotely,
- In the event of a disruption which prevents the agency from broadcasting the meeting to the public, or in the event of a disruption within the local agency's control which prevents the public from offering public comments, the body shall take no further action on items appearing on the meeting agenda until the public access is restored,
- Written/remote public comment must be accepted until the point at which the public comment period is closed,
- The public shall not be required to register with the local agency to provide comment, however if a 3rd party provider such as Zoom requires registration such requirement is acceptable as long as the public agency does not control this 3rd party provider.

Legislative bodies wishing to hold remote meetings under AB361 must meet the following criteria:

1. the local agency is holding a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; and
2. the local agency is holding a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and
3. the local agency is holding a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risk to the health or safety of attendees.

On July 6, 2021, the City Council approved by a 3-2 vote to allow for in-person meetings and to suspend teleconferencing at City Council meetings.

October 18, 2021, the City Council directed staff to bring forth a resolution making findings pursuant to AB 361. The Council also directed staff to continue with in person meetings for City Council meetings but make available the ability for City committees and commissions to meet remotely via teleconferencing.

The City Council originally adopted 11-01-2021-B on November 1, 2021, to comply with the requirements of AB 361.

The City Council then adopted 12-06-2021-B on December 6, 2021, in compliance with the requirements of AB 361.

Staff recommends the Council adopt Resolution 01-18-2022-A that authorizes remote teleconferencing meetings of the City Council and its committees and commissions for 30 days pursuant to AB 361.

FISCAL IMPACT

Staff continues to be concerned of the impact to staff resources when holding remote and/or hybrid (remote and in person) meetings. Remote meetings take dedicated IT and clerk staff, which the City currently does not have.

ATTACHMENTS

- Resolution 1-18-2022-A

RESOLUTION 01-18-2022-A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA PROCLAIMING AND
AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND ITS
COMMITTEES AND COMMISSIONS FOR 30 DAYS PURSUANT TO AB 361 BROWN ACT
PROVISIONS

WHEREAS, the City of Sonora is committed to preserving and nurturing public access and participation in meetings of the City Council and its committees and commissions; and

WHEREAS, all meetings of the City Council and its committees and commissions are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 -54963), so that any member of the public may attend, participate and watch the City Council and its committees and commissions conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meeting by members of the a legislative body, without compliance with the requirements of Government Code section 54953 (b)(3), subject to existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster of extreme peril to the safety of persons and property within the state cause by conditions as described in Government code 8558; and

WHEREAS, a proclamation is made when there is an actual incident, there of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the City's boundaries caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, the Governor proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code section 8625, that a state of emergency exists with regard to a novel coronavirus (a disease now known as COVID-19); and

WHEREAS, on June 4, 2021, the Governor clarified that reopening of California on June 15, 2021, did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, on June 11, 2021, Governor Newsom also issued Executive Order N-08-21, which set expiration dates for certain paragraphs of the State of Emergency Proclamation dated March 4, 2020, and other Executive Orders but did not rescind the proclaimed state of emergency; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the state Legislature have exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution the state Legislature; and

WHEREAS, the California Department of Industrial Relations has issued regulations related to COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of Regulations, Section 3205(5)(D) specifically recommends physical (social) distancing as one of the measures to

decrease the spread of COVID-19 based on the fact that particles containing the virus can travel more than six feet, especially indoors; and,

WHEREAS, the City Council finds that state or local officials have imposed or recommended measures to promote social distancing, based on the California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the California Code of Regulations, Section 3205(5)(D); and

WHEREAS, City Council meetings shall be conducted by a hybrid model of both in-person and teleconference and committee and commission meetings may participate by teleconferencing, and members of the public may also participate virtually in committee and commission meetings; and

WHEREAS, on occasion a Councilmember may need to appear and participate in a City Council meeting remotely in order to comply with Public Health guidance, the City desires to allow such participation using the requirements of AB361;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SONORA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. The City Council acknowledges the Governor has declared a state of emergency related to the novel coronavirus and hereby proclaims that state officials have imposed or recommended measures to promote social (physical) distancing based on the California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the California Code of Regulations, Section 3205(5)(D).

Section 3. Remote Teleconference Meetings. The City Administrator is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of January 1, 2022, or such time the City Council adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the City Council may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED as a Resolution of the City Council of the City of Sonora, California, at a regular meeting of said City Council held on January 17, 2022, by the following votes:

AYES: _____

NOES: _____

ABSENT: _____

Signed and dated:

Matt Hawkins

Mayor of the City of Sonora

ATTEST:

Deputy City Clerk



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 18, 2022

TO: City Council Members

FROM: Turu VanderWiel, Interim City Administrator
Aimee New, Fire Chief

SUBJECT: Letter of Support for the Sunshine Hill – Jamestown Road Shaded Fuel Break Project

RECOMMENDATION

Consideration to approve a Letter of Support for the Sunshine Hill – Jamestown Road Shaded Fuel Break Project and authorize the Mayor to sign the letter.

DISCUSSION

The City has been contacted by the Tuolumne Fire Safe Council to provide a Letter of Support for their Sunshine Hill – Jamestown Road Shaded Fuel Break project.

This project covers 31 acres along a portion of one of Tuolumne County busiest main roads, Jamestown Road. This road leads from the town of Jamestown north toward Highway 49 and the Columbia area with several main arteries leading into Sonora and areas to the east. Sonora City limits are just under one mile to the east and 2 miles east from downtown Sonora. Within the immediate area along the shaded fuel break are 115 homes and another 500 homes within a mile and half of the project boundaries. Some of these include housing for low-income families.

This project proposal has also received support from the Tuolumne County Board of Supervisors, Tuolumne Utility District (TUD), Tuolumne County Fire Department, and the Sonora City Fire Department.

Additional project information has been provided as an attachment to this agenda report. Staff recommends approval of a letter in support of this project.

FISCAL IMPACT

None.

ATTACHMENTS

- Letter of Support
- Sunshine Hill – Jamestown Road Shaded Fuel Break project information provided by the Tuolumne 108 Fire Safe Council



City of Sonora
94 N. Washington Street
Sonora, CA 95370
209-532-4541

Mayor Matt Hawkins
Mayor Pro Tem Mark Plummer
Councilmember Jim Garaventa
Councilmember Ann Segerstrom
Councilmember Colette Such

January 18, 2022

Dear CCI Grant Administrator:

To work collaboratively with our partners within the City of Sonora and throughout Tuolumne County, the City of Sonora is pleased to send this letter of support for the Tuolumne Firesafe Council Sunshine Hill – Jamestown Road Shaded Fuel Break Project.

The project offers greater fire protection for area residents and businesses slows wildland fires leading into heavier residential and commercial areas near Sonora. This project covers 31 acres along a portion of one of Tuolumne County busiest main roads, Jamestown Road. This road leads from the town of Jamestown north toward Highway 49 and the Columbia area with several main arteries leading into Sonora and areas to the east. Sonora City limits are just under one mile to the east and 2 miles east from downtown Sonora. Within the immediate area along the shaded fuel break are 115 homes and another 500 homes within a mile and half of the project boundaries. Some of these include housing for low-income families.

This project is being submitted and overseen by the Tuolumne Fire Safe Council. This Council has a track record spanning more than a decade of successfully completing community-supported, fire protection improvement projects.

This project proposal has also received support from the Tuolumne County Board of Supervisors, Tuolumne Utility District (TUD), Tuolumne County Fire Department, and Sonora City Fire Department.

The City of Sonora joins with our neighbors and partners within the City of Sonora and Tuolumne County in looking forward to Fire Prevention projects that will support and protect City and County residents and valuable infrastructure in the region.

Sincerely and on behalf of the Sonora City Council, thank you for your consideration of this projection.

Matt Hawkins,
Sonora City Mayor

Shaded Fuel Break

Summary:

This project covers 31 acres along a portion of one of Tuolumne County busiest main roads, Jamestown Road. This road leads from the town of Jamestown north toward Highway 49 and the Columbia area with several main arteries leading into Sonora and areas to the east. Sonora City limits are just under one mile to the east and 2 miles east from downtown Sonora. Within the immediate area along the shaded fuel break are 115 homes and another 500 homes within a mile and half of the project boundaries. Some of these include housing for low-income families. A wildfire in this area will have very significant effects on hundreds of residents and a very negative impacts on traffic flow throughout the populated area of western Tuolumne County. Map of area included.

Jamestown road is a single lane, very heavily traveled road which has many curves and steep inclines. Vegetation growing up to this narrow roadway is overgrown in most cases making driving conditions dangerous. This shaded fuel break will remove vegetation along a portion of this road while also reducing the impacts of a wildfire within just a few hundred feet of the road. The project is included within the boundaries of being in the State Responsivity Areas with the City of Sonora providing Mutual Assistance Aid when needed. The State has listed the area as being in the Very High Fire Hazard Severity Zone. Local CAL FIRE officials suggest that the project is consistent with the CAL FIRE "Unit Fire Plan" goals and objective.

The property owner where most of the work will take place has agreed to have the project completed as shown on the map. This includes a 500 foot width area on the north side for more complete protection should a wildland fire be coming up from the most usual wind pattern, i.e., from the south west. It is contemplated that the shaded fuel break work will be consistent with the usual field clearing work, i.e., the removal of dead vegetation, brush and selective removal of small trees growing in close proximity of each other, the removal of hazard trees and limbing tree branches up 10 to 12 feet. The field work consists mostly of removing very dense low growing shrubs, buck brush, manzanita, oak tree clusters and gray/bull pines. Cut vegetation will be chipped and distributed on site if at all reasonable or may be piled and burned when conditions permit.

The Sunshine Hill & Jamestown SFB project will be submitted for a CAL FIRE, Fire Prevention Grant, via the Tuolumne Fire Safe Council. The Council has an enviable track record spanning more than a decade of successfully completing community supported fire protection projects. Applicants for Fire Prevention Grants are judged on a competitive bases throughout the State with many more being submitted than funded. Proposed project must be submitted by February 9th this year for consideration. The selection process requires several months before those submitting grants will know of their project funding request success.

Prepared by: David Sweitzer,

Board Member, Tuolumne Fire Safe Council

danddsweitzer@gmail.com

1/6/2022



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 18, 2022

TO: City Council Members

FROM: Douglas White, City Attorney

SUBJECT: Interim City Administrator Employment Agreement

RECOMMENDATION

Consideration to approve an Employment Agreement between the City of Sonora and Melissa Eads for the position of Interim City Administrator with a base salary amount of one hundred and forty thousand dollars (\$140,000) annually and for a term of six (6) months.

DISCUSSION

On January 11, 2022, the City Council directed staff to negotiate an Employment Agreement for the position of Interim City Administrator with Melissa Eads.

Staff recommends the Council approve the attached Employment Agreement in the amount of \$140,000 annually and for a term of six months.

FISCAL IMPACT

The cost of the Interim City Administrator agreement is an increase in the current budgeted City Administrator salary and benefits and therefore will require a mid-year adjustment to increase the budgeted salary costs. This is a General Fund cost.

ATTACHMENTS

- Employment Agreement

EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT ("Agreement") is made and entered into this ____ day of January 2022, by and between the City of Sonora, a California municipal corporation ("City") and Melissa Eades , an individual ("Employee"). City and Employee may individually be referred to herein as "Party" or collectively as "Parties." There are no other parties to this Agreement.

RECITALS

A. The current City Administrator has resigned her employment effective Friday, January 14, 2022. City requires the immediate services of a person with proven executive and administrative qualifications to fill the position of Interim Sonora City Administrator ("Interim City Administrator").

B. City, acting by and through the Sonora City Council ("City Council") has evaluated Employee's knowledge, experience, administrative skills and abilities and desires to hire and appoint Employee as Interim City Administrator pursuant to the terms of this Agreement.

C. The Parties desire to execute this Agreement pursuant to the authority of and subject to the provisions of California Government Code sections 53260 and 36506.

NOW, THEREFORE, in consideration of the mutual covenants entered into between the Parties and in consideration of the benefits that accrue to each, it is agreed as follows:

AGREEMENT

Section 1. Recitals. The recitals set forth above ("Recitals") are incorporated herein by this reference and made a part of this Agreement. In the event of any inconsistencies between the Recitals and Sections 1 through 15 of this Agreement, Sections 1 through 15 will prevail.

Section 2. Effective Date. This Agreement shall become effective once executed by both the City and Employee ("Effective Date").

Section 3. Appointment of Interim City Administrator, Duties and Term.

3.1. Appointment of Interim City Administrator and Duties. Commencing Wednesday, January 19, 2022, Employee shall serve as Interim City Administrator of City and shall be vested with the powers, duties, and responsibilities set forth in Chapter 2.48 of the Sonora Municipal Code ("S.M.C."), the City Administrator Job Description, and under California law. Employee shall further perform the functions and duties specified under the laws of the State of California, the S.M.C., the ordinances and resolutions of the City, and such other duties and functions as the City Council may from time-to-time assign. The City Council may also designate Employee as the chief executive of other City-related legal entities, such as a redevelopment agency, financing authorities, or joint powers authorities.

3.2. Employee's Obligations Employee agrees that she will comply with any and all City policies or requirements regarding background checks and fitness for duty examinations as soon as reasonably possible. Employee further agrees to comply with all other applicable laws, ordinances, regulations, and City rules and policies. Employee further agrees that she shall devote her productive time, abilities and attention as necessary to the full accomplishment of her duties and the City's business needs. Accordingly, Employee shall not hold secondary employment or engage in activities which conflict with, or present the appearance or possibility of conflicting with, City's legitimate business interests. As such, Employee agrees that Employee will notify the City Council in writing if Employee wishes to accept secondary employment sufficiently in advance to allow the City Council to determine whether there is the appearance of, or an actual conflict or potential conflict with the satisfactory performance of Employee's duties or the best interest of the City. Should the City Council make such a determination, Employee agrees that Employee will forgo the proposed secondary employment. Notwithstanding the foregoing, Employee shall have the right to volunteer for such nonprofit organizations as she may see fit, provided that such volunteer services shall not interfere with her duties on behalf of the City.

3.3. Exempt Employee. The general business hours for City employees are Monday through Friday, 8:00 a.m. to 4:00 p.m. However, it is recognized by the Parties that Employee is an exempt employee for purposes of the Fair Labor Standards Act of 1938 (29 U.S.C., § 201 et seq.). As such, Employee acknowledges that she shall not receive overtime or extra compensation for hours worked outside of the City's general business hours which are necessary to fulfill the duties of the Interim City Administrator's position, unless otherwise provided in this Agreement.

3.4. Hours of Work. The position of Interim City Administrator is an exempt position. As such, Employee shall not have set hours of work, as the Interim City Administrator is expected to be reasonably available at all times and work such hours as may be necessary to the full accomplishment of her duties. However, the Council recognizes the significant importance and priority that Employee places on her family and therefore, Employee shall have the right to participate in family, school and athletic activities and may flex her work schedule during the week to accommodate those activities, provided that participation in these activities does not interfere with Employee conducting required City business or attending necessary City events or meetings. If at any time the City Council believes that this flexible schedule is no longer in the City's best interest, they retain the right to review this provision and revoke this privilege.

It is recognized that the Interim City Administrator must devote additional time outside normal office hours to the business of the City, and to that end, Employee's work schedules each day and week shall vary in accordance with the work required to be performed. Employee's performance will be evaluated on accomplishments, not hours worked. For purposes of utilizing leave balances, Employee's work schedule shall be based upon a forty (40) hour work week and not an eight (8) hour day.

3.5 Term. The term of this Agreement shall be for six (6) months from the Effective Date ("Term"), subject to the provisions of Section 11 of this Agreement.

Section 4. At-Will Employment.

4.1. At Will. Employee is an at-will employee serving at the pleasure of the City Council as provided in Government Code section 36506. Accordingly, the City Council may terminate Employee's employment at any time, with or without cause.

Unless otherwise specified in this Agreement, Employee shall be bound by all the policies, rules and regulations of City now in force and effect applicable to Employee's position, and by all such other applicable policies, rules and regulations as may be hereafter implemented and called to her notice and will faithfully observe and abide by the same. No such policy, rule or regulation shall alter, modify or revoke Employee's status as an at-will employee or any other provision of this Agreement.

4.2. No Property Right in Employment. Employee understands and agrees that the terms of her employment are governed solely by this Agreement. Employee further understands and agrees that this Agreement does not confer a right of employment for any specified term and that she is not entitled to due process for any disciplinary action under the City's personnel policies and rules, including termination.

Section 5. Compensation and Evaluations.

5.1. Base Salary. City agrees to pay Employee an annual salary of One Hundred Forty Thousand Dollars (\$140,000.00) ("Base Salary"), payable in installments at the same time that the other City employees are paid.

5.2. Review and Evaluation. The City Council will review and evaluate Employee's performance as Interim City Administrator after three (3) months and provide Employee with a written performance review. Reviews and evaluations may be conducted at other times at the Council's discretion. The Council may also provide other increases in salary or benefits as they deem appropriate based on Employee's performance, which will not require an amendment of this Agreement.

5.3. Benefits. During the Term of this Agreement, Employee shall be entitled to receive the benefits identified in the attached schedule of benefits.

5.4. Deferred Compensation. The City agrees to make a deposit into a deferred compensation retirement account of up to five percent (5%) of Employee's Base Salary into the City's deferred compensation plan. See the attached schedule of benefits regarding this contribution.

Section 6. Automobile.

6.1 If it is necessary for Employee to use a personal vehicle for City business and City-related business, such as conferences and meetings, Employee shall be reimbursed at the then current allowable IRS mileage rate.

Section 7. General Expenses. City recognizes that certain job-related expenses will be incurred by Employee and City hereby agrees to reimburse or to pay said general expenses in

accordance with City policies. The Finance Director is hereby authorized to disburse such monies upon receipt of duly executed invoices, petty cash vouchers, receipts, statements, or other appropriate documentation.

Section 8. Communications Allowance. City will provide Employee with a cellular phone and tablet computer for use in any City-related business. The phone and tablet computer shall each be the property of the City, and Employee shall have no reasonable expectation of privacy in either device.

Section 9. Dues and Subscriptions. City agrees to budget and pay for the professional dues and subscriptions of Employee, as needed for the continuation and full participation in national, regional, state and local associations and organizations necessary and desirable for her continued professional participation, growth, and advancement, and for the good of the City, including, but not limited to, League of California Cities (LCC) and the International City/County Management Association (ICMA).

Section 10. Professional Development.

10.1. Travel Expenses. City hereby agrees to budget and pay for travel and subsistence expenses of Employee for necessary professional and official travel, meetings and occasions adequate to continue the professional development of Employee and to adequately pursue necessary official and other functions for City provided Employee seeks prior authorization for such expenses from the Council.

10.2. Courses and Seminars. City also agrees to pay for the cost of enrollment, tuition, fees, travel and subsistence expenses of Employee for short courses, institutes and seminars that are necessary for her professional development and for the good of the City, provided that Employee seeks prior approval from the Council for such expenses.

Section 11. Termination of Employment.

11.1. Voluntary Resignation. Employee may resign at any time and agrees to give the City at least thirty (30) calendar days advance written notice of the effective date of the Employee's resignation, unless the Parties otherwise agree in writing. If the Employee retires from full-time public service with the City, the Employee shall provide ninety (90) calendar days advance written notice. The Employee's actual retirement date will be mutually established between the Parties. During the notice period, all rights and obligations of the Parties under this Agreement shall remain in full force and effect. Promptly after the effective date of resignation or retirement, the City shall pay to Employee all salary and benefit amounts accrued and owing under this Agreement.

11.2. Termination by City Council. The City may, with or without cause or prior notice, terminate this Agreement and Employee's employment with the City. Employee shall be provided a written notice setting forth the reasons for such termination. City shall tender Employee all wages due and owing, as well as accrued and unused vacation and administrative leave in accordance with standard City practice and this Agreement.

If Employee is terminated without good cause, as defined Paragraph 11.3 below, Employee shall no longer be entitled to accrue or receive any benefits afforded to her by City after the date of termination; however, City shall continue to pay Employee her Base Salary as set forth in Paragraph 5.1 for the duration of the term of this Agreement. If Employee is terminated for good cause as defined below, Employee's City shall have no obligation to Employee beyond payment of all wages, including accrued and unused vacation and administrative leave, due and owing for all hours worked as of Employee's last day of employment and any other obligation which City may be required to provide under federal or state law.

In the event Employee is terminated by the City Council for misconduct which has been publicly disclosed and could stigmatize Employee's reputation or impair her ability to earn a living, Employee may, within ten (10) calendar days, make a written request for a "name-clearing" hearing (as described in *Lubey v. City and County of San Francisco* (1979) 98 Cal.App.3d 340, and its progeny) before the City Council. Any such "name-clearing" hearing will be held solely be to provide Employee an opportunity to clear her name. The City Council may determine whether the allegations in the notice of termination are supported. If the City Council determines that the allegations are not supported, a decision shall be issued to reflect that the Employee's termination was without fault. Such a decision, however, will not require that Employee be reinstated to her position. The hearing shall take place at a regularly scheduled City Council meeting in accordance with the S.M.C.'s standard practice and any applicable provisions of state law. The decision whether to terminate the Interim City Administrator shall be made by a minimum four-fifths (4/5) vote of the whole City Council as then constituted in closed session and reported out of closed session as required by the California Government Code.

11.3. Good Cause - Defined.

"Good Cause", for purposes of this Agreement, means a fair and honest cause or reason for termination. These reasons include, but are not limited to:

1. Conviction of a felony;
2. Disclosing confidential information of City;
3. Gross carelessness or misconduct;
4. Unjustifiable and willful neglect of the duties described in this Agreement;
5. Mismanagement;
6. Failure to perform duties to the standard set by the City;
7. Any conduct which violates the City's Personnel Rules and for which a City employee may be terminated;
8. Repeated and protracted unexcused absences from the Interim City Administrator's office and duties;

9. Willful destruction or misuse of City property;
10. Conduct that in any way has a direct, substantial, and adverse effect on the City's reputation;
11. Willful violation of federal, state, or City discrimination laws;
12. Continued substance abuse which adversely affects performance of Employee's duties as Interim City Administrator;
13. Refusal to take or subscribe any oath or affirmation which is required by law;
14. Disability that renders Employee unable to perform the essential functions of her job with or without reasonable accommodation which places an undue burden on the City;
15. Dishonesty;
16. Engaging in other employment or activities which conflict with, or present the appearance or possibility of conflicting with, City's legitimate business interests; and
17. Failure to comply with any of Employee's obligations as set forth in this Agreement.

Notwithstanding any provision in this Agreement to the contrary, the City Council may place Employee on investigatory leave with full pay and benefits at any time during the Term of this Agreement.

Section 12. Indemnification. City shall defend, hold harmless and indemnify Employee against any tort, personnel, civil rights or professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as Interim City Administrator in accordance with California's Tort Claims Act (Government Code section 825 et seq.) and shall provide a defense to Employee in accordance with Government Code sections 995 through 996.5. The City may decline to defend or indemnify Employee only as permitted by the Government Code. City may compromise and settle any such claim or suit and pay the amount of any resulting settlement or judgment; provided, however, that the City's duty to defend and indemnify shall be contingent upon Employee's good faith cooperation with such defense. In the event City provides funds for legal criminal defense pursuant to this Section, Employee shall reimburse City for such legal criminal defense funds if Employee is convicted of a crime involving an abuse of office or position, as provided by Government Code sections 53243 through 53243.4.

Section 13. Bonding. City shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

Section 14. Notices. Any notice or communication required hereunder between City and Employee must be in writing, and may be given either personally, by facsimile (with original forwarded by regular U.S. Mail), by registered or certified mail (return receipt requested), or by Federal Express, UPS, or other similar couriers providing overnight delivery. If personally delivered, a notice shall be deemed to have been given when delivered to the Party to whom it is addressed. If given by facsimile transmission, a notice or communication shall be deemed to have been given and received upon actual physical receipt of the entire document by the receiving Party's facsimile machine. Notices transmitted by facsimile after 5:00 p.m. on a normal business day or on a Saturday, Sunday or holiday shall be deemed to have been given and received on the next normal business day. If given by registered or certified mail, such notice or communication shall be deemed to have been given and received on the first to occur of (a) actual receipt by any of the addressees designated below as the Party to whom notices are to be sent, or (b) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail. If given by Federal Express or similar courier, a notice or communication shall be deemed to have been given and received on the date delivered as shown on a receipt issued by the courier. Any Party hereto may at any time, by giving ten (10) days written notice to the other Party hereto, designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at their addresses set forth below:

If to City: City of Sonora ATTN: City Clerk
 94 N. Washington St.
 Sonora, California 95370

and White Brenner LLP
 ATTN: Douglas L. White
 1414 K Street, 3rd Floor
 Sacramento, California 95814

If to Employee: City of Sonora
 ATTN: Melissa Eades
 94 N. Washington Street
 Sonora, California 95370
 w/cc: home address on file with City Administrative Services

Section 15. General Provisions.

15.1. Modification of Agreement. This Agreement may be supplemented, amended, or modified only by a writing signed by the City and Employee.

15.2. Entire Agreement. This Agreement constitutes the final, complete, and exclusive statement of the terms of the agreement between the Parties and supersedes all other prior or contemporaneous oral or written understandings and agreements of the Parties. No Party has been induced to enter into this Agreement by, nor is any Party relying on, any representation or warranty except those expressly set forth in this Agreement.

15.3. Severability of Agreement. If a court or an arbitrator of competent jurisdiction holds any Section of this Agreement to be illegal, unenforceable, or invalid for any reason, the validity and enforceability of the remaining sections of this Agreement shall not be affected.

15.4. Authority. All Parties to this Agreement warrant and represent that they have the power and authority to enter into this Agreement and the names, titles and capacities herein stated on behalf of any entities, persons, states or firms represented or purported to be represented by such entities, persons, states or firms and that all former requirements necessary or required by the state or federal law in order to enter into this Agreement had been fully complied with. Further, by entering into this Agreement, neither Party hereto shall have breached the terms or conditions of any other contract or agreement to which such Party is obligated, which such breach would have a material effect hereon.

15.5. Headings. The headings in this Agreement are included for convenience only and neither affect the construction or interpretation of any Section in this Agreement nor affect any of the rights or obligations of the Parties to this Agreement.

15.6. Necessary Acts and Further Assurances. The Parties shall, at their own cost and expense, execute and deliver such further documents and instruments and shall take such other actions as may be reasonably required or appropriate to evidence or carry out the intent and purposes of this Agreement.

15.7. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the State of California.

15.8. Waiver. No covenant, term, or condition or the breach thereof shall be deemed waived, except by written consent of the Party against whom the waiver is claimed, and any waiver of the breach of any covenant, term, or condition shall not be deemed to be a waiver of any preceding or succeeding breach of the same or any other covenant, term, or condition.

15.9. Counterparts. This Agreement may be executed in counterparts and all so executed shall constitute an agreement which shall be binding upon the Parties hereto, notwithstanding that the signatures of all Parties and Parties' designated representatives do not appear on the same page.

15.10. Venue. Venue for all legal proceedings shall be in the Superior Court of the State of California, in and for the County of Tuolumne.

15.11. Attorney's Fees and Costs. If any action at law or in equity, including action for declaratory relief, is brought to enforce or interpret Sections of this Agreement, the prevailing Party shall be entitled to reasonable attorney's fees and costs, which may be set by the court in the

same action or in a separate action brought for that purpose, in addition to any other relief to which such Party may be entitled.

IN WITNESS WHEREOF, this Agreement has been entered into by and between Employee and City as of the date of the Agreement set forth above.

CITY:

City of Sonora, a California
municipal corporation

By: _____
Matt Hawkins, Mayor

Date Signed: _____

EMPLOYEE:

By: _____
Melissa Eades

Date Signed: _____

Approved as to Form and Content:

By: _____
Douglas L. White, City Attorney

INTERIM CITY ADMINISTRATOR EMPLOYMENT AGREEMENT MELISSA EADES

Schedule of Benefits

1. Leave. Employee shall receive the following leave time:

A. Vacation. During the term of this Agreement, Employee shall accrue vacation at the rate of 6.154 hours per pay period. Accrual shall be limited to twenty (20) days or one hundred sixty (160) hours. Upon separation from the City, Employee shall be paid for any accrued and unused vacation.

B. Administrative Leave. During the term of this Agreement, Employee shall accrue Administrative Leave at the rate of 3.693 hours per pay period. Upon separation from the City, Employee shall be paid for any accrued and unused administrative leave.

C. Sick Leave. During the term of this Agreement, Employee shall accrue sick leave at the rate of 3.692 hours per pay period. Unused sick leave will not be paid upon Employee's separation from City; however, at Employee's option, upon retirement, all, or any portion of, accrued and unused sick leave may be reported to CalPERS to be incorporated in the Employee's Retirement Service Credit balance.

D. Other Leave. Employee shall be entitled to bereavement leave, jury duty, subpoena, military leave and disability leave in accordance with Article 14 of the City's Personnel Rules and Regulations.

2. Holidays. Employee shall be entitled to all paid holidays as approved by the City Council for City staff.

3. Insurance. City at its expense will provide the following coverages:

A. Medical. Employee will choose which coverage she desires between the City's Anthem Blue Cross PPO or EPO plans, or any successor or replacement plans. Employee will pay twenty percent (20%) of the City's cost of any plan offered by City and chosen by Employee, including any plan that provides coverage of Employee's covered dependents, if any.

B. Dental. One Thousand Dollars (\$1,000.00) maximum per calendar year; Preventative - no deductible; Other treatment - \$25.00 per calendar year deductible; and Basic services paid at 80%, employee responsible for 20% of cost of services. Major services paid at 50%, employee responsible for 50% of cost of services.

C. Life Insurance. Accidental Death and Dismemberment – One (1) Year of Annual Salary Term Life Insurance – One (1) Year of Annual Salary Spouse - \$25,000.00.

D. Vision. City shall provide Employee with a coverage through VSP vision care program at the City's expense.

E. Long Term Disability. City shall provide and pay for long term disability insurance for Employee.

F. Retirement Medical Insurance. If Employee retires after at least ten (10) years of service to the City. She will be eligible to receive Retirement Medical Insurance through the City. Up to age sixty (60), Employee will be responsible to pay fifty percent (50%) of the cost of the premiums. Between ages sixty (60) to sixty-five (65), Employee will be responsible to pay twenty-five (25%) of the cost of the premiums. After the age of sixty-five (65), Employee will no longer be eligible to receive Retirement Medical coverage from the City.

4. Annual Physical. City shall pay Employee an allowance of \$250.00 per fiscal year for an annual physical examination.

5. Compensation. The City shall provide Employee with the opportunity to contribute to the Employee's preferred 457-Plan account. The Employee's contribution will be made from her pre-tax earnings. The City will match Employee's contribution up to five percent (5%) of her Base Salary.

6. Retirement. The City shall provide the Employee with the California Public Employees' Retirement System's (CalPERS) Two Percent (2%) at Sixty-Two (62) Plan for Miscellaneous Members, pursuant to the contractual provisions between the City of Sonora and CalPERS. Employee shall pay up to eight percent (8%) of her salary to fund the employee share of the pension. The City shall match the up to eight percent (8%) employee contribution amount.



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 18, 2022

TO: City Council Members

FROM: Rachelle Kellogg, Community Development Director

SUBJECT: Community Development Department Report for December 2021

RECOMMENDATION

Receive the Community Development Department Report for December 2021

DISCUSSION

RED CHURCH PEDESTRIAN AND CIRCULATION PROJECT – The bid opening for the project was held on December 10th at 2 p.m. and the City received 3 bids. Staff has reviewed all bids for completeness and responsiveness. Staff also reviewed the bid sheets for accuracy to make sure that there were no mathematical errors and compared them to the Engineers Estimate prepared by Willdan. Unfortunately, the bids came in above the estimate and the available Caltrans' funding. Staff will be meeting with Caltrans to determine how to move forward with the project. The City cannot move forward with awarding the project unless additional funding is secured.

ORDINANCE UPDATES – The City's code requirements for accessory dwelling units (ADU) must be modified to comply with State mandates. Staff is currently working with CSG, the City's consulting firm, to prepare the draft ordinance for review by the Planning Commission at their March meeting. It is anticipated that it will be considered by the City Council in April. The ordinance will address ministerial approval of the construction of ADUs and/or Junior ADUs on residential lots including the conversion of existing garages/accessory structures to ADUs. It will also allow the construction of some ADUs within existing setbacks and eliminate some parking requirements.

Staff is also working with CSG in the preparation of a comprehensive update to the City's sign requirements. The current requirements as written make implementing them difficult and causes confusion for businesses. The revisions will simplify the process and makes it easier for businesses to obtain sign permits. A draft ordinance will be presented to the Planning Commission at their February meeting for discussion and to receive public comment. It is anticipated that the final draft will be considered by the Planning Commission in March and by the City Council in April.

VMT ADOPTION - Senate Bill 743, signed into law in 2013, changed the rules on how a project's traffic impacts are analyzed under the California Environmental Quality Act (CEQA). As such, the City is now required to assess how the project changes trip lengths measured in vehicle miles traveled (VMT). As a member of the TCTC's countywide VMT Committee, City staff considered various options related to implementing VMT CEQA requirements prior to making a recommendation to the City Council. Staff prepared the Resolution adopting utilization of the Tuolumne County Travel Demand Model as the methodology to measure VMT, utilization of the Tuolumne County Travel Demand Model as the method to analyze a project's VMT impact, and establishing the Screening Criteria and VMT Thresholds for the City that was approved on December 20, 2021.



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 18, 2022

TO: City Council Members

FROM: Aimee New, Fire Chief

SUBJECT: Fire Department Monthly Report – December 2021

RECOMMENDATION

Receive Fire Department Monthly Report – December 2021

DISCUSSION

Fire Department Monthly Report – December 2021

FISCAL IMPACT

N/A

Emergency Incidents

1. Sonora City Fire units responded to 192 calls for service in December.
2. Sonora City units responded to emergency calls for service as follows:

111 - Building Fire	1
112 - Fires in structure other than in a building	1
114 - Chimney or flue fire, confined to chimney or flue	1
131 - Passenger vehicle fire	1
311 - Medical assist, assist EMS crew	15
321 - EMS call, excluding vehicle accident with injury	91
322 - Motor vehicle accident with injuries	3
323 - Motor vehicle/pedestrian accident (MV PED)	1
324 - Motor vehicle accident with no injuries.	4
412 - Gas leak (natural gas or LPG)	4
413 - Oil or other combustible liquid spill	1

440 - Electrical wiring/equipment problem, other	1
444 - Power line down	2
445 - Arcing, shorted electrical equipment	3
500 - Service Call, other	1
510 - Person in distress, other	3
511 - Lock-out	1
512 - Ring or jewelry removal	1
520 - Water problem, other	1
550 - Public service assistance, other	2
551 - Assist police or other governmental agency	3
553 - Public service	4
554 - Assist invalid	6
561 - Unauthorized burning	2
600 - Good intent call, other	1
611 - Dispatched & cancelled enroute	20
622 - No incident found on arrival at dispatch address	4
651 - Smoke scare, odor of smoke	2
700 - False alarm or false call, other	4
733- Smoke detector activation due to malfunction	1
735 - Alarm system sounded due to malfunction	1
736 - CO detector activation due to malfunction	2
744 - Detector activation, no fire - unintentional	1
745 - Alarm system activation, no fire - unintentional	2
812 - Flood assessment	1
Total 192	
3. Monthly dollar loss, resulting from fire:	0
4. The average response time during the month:	5:67 Minutes

5. Automatic or mutual aid given:

59



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 18, 2022

TO: City Council Members

FROM: Turu VanderWiel, Chief of Police

SUBJECT: MONTHLY REPORT – SONORA POLICE DEPARTMENT

RECOMMENDATION

Receive the Sonora Police Department monthly report for December 2021.

DISCUSSION

The attached summarizes activities for December 2021.

	Dec 2021	Nov 2021	Dec 2020
Total Incidents	1,352	1,330	1,514
Calls for Service	653	622	599
Officer Initiated	699	708	915
Total Arrests	47	58	37
Felony Arrests	5	7	10
Misd. Arrests	42	51	27
Total Reports	110	131	80
Parking Citations	12	9	9
Moving Citations	18	9	3
Domestic Violence	2	2	1
Larcenies	15	17	12
Collision Incidents	35	21	40
Collision Invest.	12	10	13

	Dec 2021	Nov 2021	Dec 2020
Homeless Activity	103	111	Not Recorded
Animal Calls	27	29	25
Public Intox. / UID	13	8	1
DUI Arrests	2	4	2
Total Phone Calls	1,930/179	2,123/193	1,959/157
Average Per Day	62	71	65
Vehicle Releases	2	2	4

*Homeless Activity is a new category for reporting. As tracking requires additional manual inputs, the actual number of associated incidents will typically be higher than the reported number.

FISCAL IMPACT

There is no fiscal impact on the General Fund

AREA 1**Violent Crimes:**

- 1 Felony Domestic Violence.
- 1 Misdemeanor Domestic Violence.
- 1 Felony Threats
- 1 Felony Use of Obscene Material

Burglaries / Other Larceny:

- 4 Business Burglaries (Shoplifting).
- 1 Residential Burglary
- 3 Petty Thefts (Shoplifting)
- 1 Petty Theft from a Vehicle

AREA 2**Violent Crimes:**

- 1 Felony Threats

Burglaries / Other Larceny:

- 1 Business Burglary (Shoplifting)
- 1 Vehicle Burglary
- 1 Residential Burglary
- 2 Stolen Vehicles (1 Recovered by Stockton CHP)
- 1 Petty Theft from a Business

12/01/2021 - 12/31/2021

Area 1 Monthly Report December 2021

Neighborhood Watch:

ELKS HILL:

- No updated activity.

SONORA KNOWLES:

- No updated activity.

Cases For discussion:

21-1508– On December 03, 2021 David R. Wood, 38 of Stockton, was arrested for felony domestic violence. Officers responded to a local hotel for a report of two people yelling and causing a disturbance. During the course of the investigation it was determined that Wood and his girlfriend came to town to celebrate Wood's birthday. After consuming enough alcohol to become fairly intoxicated an argument started when they returned to the hotel. Officers determined that Wood was the dominant aggressor and had physically battered the victim. Wood was arrested and booked into the county jail.

21-1532- On December 10, 2021 Isabel Caviglia Altick, 28 of Oakland, was arrested for driving under the influence. While on patrol in the city an officer observed a vehicle having difficulty maintaining its lane position, as well as an inoperable stop lamp. The officer initiated a traffic enforcement stop and contacted Altick, the driver, and two passengers. Due to signs of intoxication the officer had Altick perform a series of field sobriety tests. The driver was subsequently arrested after failing the evaluation and determined to be about two and half times the legal limit for blood alcohol content.

Field Training Program:

- One CSO currently in training and two others are scheduled to begin in January 2022.

Contract/Reserve Officers:

- Reserve Officer Danny Duffy was unavailable for the month of December. Reserve Officer Fraser is expected to start January 2022.

Dispatch:

- We have one full-time Dispatcher in phase three of communications training. We still have an open part-time Dispatcher position.

Volunteers:

- Community Service Volunteers had limited participation the month of December.

Respectfully Submitted

Sgt. Scott Mallon

Area 2 Monthly Report DECEMBER 2021

Neighborhood Watch:

MYERS HILL:

- No updated activity.

N. STEWART:

- No updated activity.

HIGHLANDS VIEW:

- Inactive.

Cases for discussion:

21-1512- On 12/4/2021 Officers responded to a male riding a dirt bike recklessly through town. An Officer located the described male with the dirt bike but upon contact the male failed to obey commands then fled away from the Officer while riding the dirt bike. A short pursuit started and the male took to some rough terrain to evade arrest. The officer obtained a good enough description during the brief encounter to identify the male to review for an arrest warrant.

21-1559- On 12/17/2021 Officers were dispatched to Sonora High School for a physical altercation that just occurred during a sporting event. Officers discovered that a visiting team parent was involved in a verbal altercation with juvenile students from Sonora High School. The adult male suddenly approached and assaulted one of the juvenile students. The adult was arrested for the assault.

Recruitments:

- 2 Full-time Officers
- 1 Part-time Relief Dispatcher

Training:

- One Officer completed POST mandated continued professional training / perishable skills training.
- One Command Staff member attended Grant Writing training

Range:

- No range training was conducted for the month of December.

Respectfully Submitted,

Sgt. Chris Johnson



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 18, 2022

TO: City Council Members

FROM: Mike Lagomarsino, Public Works Supervisor

SUBJECT: Public Works Department Report for December 2021

RECOMMENDATION

Receive the Public Works Department Report for December 2021

DISCUSSION

For the month of December 2021, the City of Sonora Public Works Department performed the following activities:

Events

- Placed banners above Washington Street for upcoming events.
- Set up tables and chairs at the Opera Hall for City Christmas Party.
- Attended sexual harassment training.
- Installed new City Christmas Banners on light poles along Washington Street.

Streets

- Repaired damaged street signs near Yosemite Title, on South Washington Street, Morningstar Drive, Shaws Flat Road, and Woodside Drive.
- Spent several days removing leaf piles on City streets.
- Spent several days potholing various City Streets.
- Removal and disposal of two deceased deer on City streets.
- Started annual weed abatement spray program on several roadside locations throughout the City.
- Fabricated sidewalk flagpole plug removal tool for Sonora Police Department.
- Secured area in street with signage on South Washington Street near mudslide.
- Sanded hazardous roads and sidewalks following the snowstorm and during freezing temperatures.
- Worked on Christmas Eve Day due to plugged storm drains and downed trees caused by the storms.
- Fabricated a section of metal railing to be installed in sidewalk on HWY 49 following a vehicle accident.
- Removed downed trees on Lyon's Street, Shaws Flat Road, and Lyon's Bald Mt. Road following storms.
- Repaired guard railing and street sign damaged by vehicle on Elkin Street @ Sheppard Street.
- Responded to several call outs from the Police Department for sanding of icy roads.

Facilities

- Cleaned scuppers and roof at the Fire Museum.
- Replaced hot water heater at the Opera Hall.
- Repaired toilet at the Fire Museum and Opera Hall.
- Installed new thermostat for heater in Mechanic's shop at Public Works.
- Installed new paper towel dispensers in restrooms at City Hall, Police Department, and Opera Hall.
- Replaced door handle in the restroom at the Police Department.
- Cleaned gutters and storm water ditch at the Opera Hall.
- Replaced light fixture in evidence room at the Police Department.

Parks/Landscapes/Parking Lots

- Performed leaf removal in several City Parking Lots and landscape areas.
- Graffiti removal in restrooms at Grigsby Park.

Storm Drains

- Spent numerous days digging out all of the City's storm drain inlets.
- Flushed out numerous plugged storm drains and culverts.
- Cleaned out numerous storm drain ditches throughout the City.

Cemeteries

- Prepared required monthly reports, installed headstones, checked messages daily, and returned phone calls.
- Filled several sunken plots at Mountain Shadow Cemetery.

Miscellaneous

- Performed routine daily and monthly activities including regular checking of parks and landscape areas for maintenance needs and safety concerns, garbage collection at City facilities, cleaning and stocking City restrooms, opening of gate to Dragoon Gulch Trail parking lot, routine maintenance of City vehicles, participation on assigned committees, weekly mowing of lawns at Mt Shadow Cemetery and Rotary Park, and weekly sweeping of City Streets.

FISCAL IMPACT

None